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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,042	02/01/2001	Lisa A. Fillebrown	107870.00012	8351
7590	06/25/2004			
			EXAMINER	
			GECKIL, MEHMET B	
			ART UNIT	PAPER NUMBER
			2142	
DATE MAILED: 06/25/2004				5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/775,042	FILLEBROWN ET AL. <i>Say</i>
	Examiner	Art Unit
	Mehmet B. Geckil	2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 February 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) 1-43 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

1. Claims 1-43 are presented for examination.
2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-22, 30, 32, 33, 36,37,40,42, and 43, drawn to a method of processing a packet in a wireless network with associating the data with a software application particulars as well as video stream particulars, classified in class 709, subclasses 203 and 226;
 - II. Claims 23-29, 34, 38, and 41, drawn to a method of processing a packet in a wireless network with user input, converting information, routing, extracting data, and verifying particulars, classified in class 709, subclasses 246, and 238; and
 - III. Claims 31,35, and 39, drawn to a method of updating wireless client display including changing at least one pixel for implementing a display information particulars, classified in class 345, subclass 698.

3. The inventions are distinct, each from the other because of the following reasons:

Inventions I-III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case: Invention I has separate utility such as it is usable by any system which lacked features of the second group of claims, e.g., processing a packet in a wireless network with user input, converting information, routing, extracting data, and verifying particulars, classified in class 709, subclasses 246, and 238; and further lacked features of the third group of claims, e.g., updating wireless client display including changing at least one pixel for implementing a display information particulars, classified in class 345, subclass 698.

The invention II has separate utility such as it is usable by a system which lacked features of group I of claims, e.g., processing a packet in a wireless network with associating the data with a software application particulars as well as video stream particulars, classified in class 709, subclasses 203 and 226.

Moreover, invention III has separate utility such as it is usable by a system which lacked features of group I of claims, e.g., processing a packet in a wireless network with associating the data with a software application particulars as well as video stream particulars, classified in class 709, subclasses 203 and 226; as well as lacked features of the second group of claims, e.g. processing a packet in a wireless network with user input, converting information, routing, extracting data, and verifying particulars, classified in class 709, subclasses 246, and 238. See M.P.E.P. § 806.05(d).

4. Because these inventions are distinct for the reasons given above and because the search required for each group is different and not co-extensive for examination purpose because these groups would require different searches on PTO's classification class and subclass e.g.
 - a) the Group I search would require use of search classified in Class 709, subclasses 203 and 226, (which would not required for the Groups II-III);
 - b) the Group II search would require use of search Class 709, subclasses 246, and 238 (which would not be required for the Groups I and III); and
 - c) the Group III search would require use of search Class 745, subclass 698 (which would not be required for the Groups I-II) therefore restriction for examination purposes as indicated is proper.

5 Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mehmet Geckil whose telephone number is (703) 305-9676. The examiner can normally be reached on Monday through Friday from 6:30 A.M. to 3:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Jack Harvey, can be reached on (703) 305-9705. The fax phone numbers for the organization where this application or proceeding is assigned are listed hereinbelow.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800/4700. Customer service number is (703) 306-5631.

Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to:

(703) 872-9306

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Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

6/24/04

Mehmet Geckil

MEHMET B. GECKIL
PRIMARY EXAMINER